

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION

DR. JOSEPH ASKEW, ASKEW'S DAY CARE,)
INC., NATHANIEL BAKER, GORDON WADE,)
and CURTIS WASHINGTON,)

Plaintiffs,)

v.)

CITY OF KINSTON, GREG DEMPSEY,)
JASON BAKER, JACKIE ROGERS, and ADAM)
SHORT,)

Defendants.)

**JUDGMENT IN A
CIVIL CASE
CASE NO. 4:19-cv-13-D**

Decision by Court. This action came before this Court for ruling as follows.

IT IS ORDERED, ADJUDGED, AND DECREED that the court GRANTS defendants' motion to dismiss [D.E. 23] and DISMISSES plaintiffs' complaint without prejudice for lack of subject-matter jurisdiction. The court DECLINES to address defendants' arguments under Rule 12(b)(2), (4), and (5). The court DENIES plaintiffs' motion for a TRO or preliminary injunction [D.E. 11] and plaintiffs' motion for a jury trial [D.E. 13].

This Judgment Filed and Entered on May 15, 2019, and Copies To:

Ralph T. Bryant, Jr. (via CM/ECF electronic notification)
Dan McCord Hartzog, Jr. (via CM/ECF electronic notification)
Katherine Barber-Jones (via CM/ECF electronic notification)

DATE:

May 15, 2019

PETER A. MOORE, JR., CLERK

(By) /s/ Nicole Sellers

Deputy Clerk